

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference B10985 PCT		FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/FR2004/050009		International filing date (day/month/year) 08.01.2004	Priority date (day/month/year) 23.01.2003	
International Patent Classification (IPC) or national classification and IPC H04L 29/06				
Applicant EVERBEE NETWORKS S.A.				

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 6 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

a. ☒ (sent to the applicant and to the International Bureau) a total of 3 sheets, as follows:

☒ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the report
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input checked="" type="checkbox"/>	Box No. VII	Certain defects in the international application
<input checked="" type="checkbox"/>	Box No. VIII	Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/FR2004/050009

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-40 _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. 1 (in part), 2-23, 26 (in part), 27-43, 44 (in part) _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* 1 (in part), 24-25, 26 (in part), 29.11.2004 with the
- nos.* 44 (in part), 45-46 received by this Authority on letter of 23.11.2004
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets 1/14-14/14 _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/FR2004/050009

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-46	YES
	Claims		NO
Inventive step (IS)	Claims	1-46	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-46	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

1. Reference is made to the following documents:

D1: WO 01/22686 A (INFINEON TECHNOLOGIES CORP) 29
March 2001 (2001-03-29)

D2: WO 02/078240 A (SECURIFY INC) 3 October 2002
(2002-10-03)

D3: EP-A-909075

D4: US-A-5 835 726 (DOGON GIL ET AL) 10 November
1998 (1998-11-10)

2. The present application relates to a method (claim
1) and a system (claim 24) for processing data
packets passing through a cut-off device in a
computer network.

Document D1 describes a system for implementing
rule compilation for performing parallel routing
and processing of packet attributes. Executing the
compiled rules enables full packet filtering.
Document D2 describes a system for developing
packet processing rules.

In the system known from D1, filtering is defined

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

by security policies. To add fresh packet processing functionalities, other products need to be combined with the filtering system to provide the desired services. The large number of specialised products makes network administration and the establishment of an effective and consistent security policy far more complicated.

The solution according to the invention involves combining the filtering device security policies with portable agents enabling subsequent processing of the authorised packets. This solution enables filtering to be performed in two stages. The packets are first filtered in accordance with the security policy, then processed by the portable agents.

Since all filtering in document D1 is carried out by means of compiled rules, this document does not describe two-stage filtering carried out by additional executable agents.

Document D2 does not describe two-stage filtering carried out by additional executable agents.

No such solution is described in or obvious from the cited documents, meaning that said solution does involve an inventive step.

It follows that claims 1 to 46 comply with the requirements of PCT Article 33(3).

Box No. VII **Certain defects in the international application**

The following defects in the form or contents of the international application have been noted:

1. The independent claims have not been **properly drafted in two parts**, as required by PCT Rule 6.3(b), with a preamble containing the features of the invention that are necessary for the definition of the invention but are, in combination, known from the prior art (document D1) (PCT Rule 6.3(b)(i)), and a characterising part containing the remaining features (PCT Rule 6.3(b)(ii)).

2. To comply with the requirements of PCT Rule 5.1(a)(ii), the applicant should have cited document D1 in the description and indicated the corresponding prior art.

Box No. VIII **Certain observations on the international application**

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

1. The present application fails to comply with the requirements of PCT Article 6 because the subject matter for which protection is sought has not been clearly defined. Indeed, claims 1 and 24 include an excessively large number of alternatives (and/or) .